



**STATE OF CONNECTICUT**  
**DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES**  
*A Healthcare Service Agency*

DANNEL P. MALLOY  
GOVERNOR

PATRICIA A. REHMER, MSN  
COMMISSIONER

**Testimony of Patricia A. Rehmer, MSN, Commissioner**  
**Department of Mental Health & Addiction Services**  
**Before the Judiciary Committee**  
**April 15, 2013**

Good morning, Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee. I am Patricia Rehmer, Commissioner of the Department of Mental Health and Addiction Services (DMHAS), and I am commenting on three bills that are before you today. **HB 6684** An Act Concerning the Establishment of an Intake, Referral and Intervention System Relating to the Provision and Delivery of Mental Health Services; **S.B. 1165** An Act Concerning Diversionary Programs, and **H.B. 6699** An Act Concerning Pretrial Diversionary Programs and Solicitation of Clients in Criminal Matters. While there are positive policy implications for all three of the bills before you, we have some concerns regarding the fiscal and operational issues they present.

HB 6684 would direct DMHAS to implement a number of programs that we currently operate in some fashion within our existing budget constraints. The programs outlined in this bill are all recovery oriented and they afford individuals positive interactions with the mental health system. They build on our understanding that the relationship between the caregiver and the individual in treatment is a collaborative one that is founded on mutual and thoughtful respect. It is our belief however, that we currently have the authority to operate these programs without legislation and have a solid track record of doing so.

We have implemented and evaluated a Housing First Program in New Haven and Hartford with very positive outcomes and will continue to implement this program within available appropriations. We have peer support programs and have hired recovery specialists within our state operated and private not for profit service system and we continue to focus on increasing individuals in recovery as a critical component of our workforce. We fund the CT Legal Rights Project; one of the advocacy organizations that works with individuals served in our system to develop advance directives. We fund the Guardian Ad Litum project to work with individuals served in the Probate Courts in our service system in several areas of the state and currently plan to expand the program statewide due to the passage of SB 1160. Of course we could always do more and would welcome the opportunity to do so but it is very difficult to expand and develop new programs in these difficult fiscal times. We are very appreciative of the new dollars in SB 1160 and believe that they will begin to assist us in reaching people who are reluctant to enter the system due to the stigma and discrimination associated with mental illness. For the reasons stated above, the department does not support HB 6648.

SB 1165 and HB 6699 both touch upon the current Pretrial Drug Education Program (PDEP) as well as the Pretrial Account which pays for these diversionary programs as well

as providing funding to the Regional Action Councils and the Governor's Prevention Partnership.

HB 1165 would not alter the operation or the budget of the Pretrial DEP. Section 5 of the bill expands eligibility for the Pretrial Drug Education Program from only using it once to 1) using it more than once if in a prior use the charges were dismissed more than 10 years prior to the current application for the program and 2) allowing it to be used if the defendant already used the Pretrial Community Service Labor Program (currently anyone who used CSLP can't use the Pretrial Drug Education Program at a later time). These changes have been the topic of discussions between DMHAS and the Judicial Branch as it resolves the disparity for repeat violators. We support this change and are pleased that it will have no fiscal impact on the Pretrial Account.

HB 6699 on the other hand does alter the operation of the Pretrial Drug Education Program which would create a significant budget deficit in the Pretrial Account. HB 6699 requires the more expensive of two interventions and expands eligibility for PDEP to persons charged with violation of CGS 21a-279a (illegal possession of small amounts of cannabis-type substances). Expanding the program to include first, second, and third time violators of CGS 21a-279a would create the need for additional funds to pay for the cost of services.

The PDEP is funded by court fees paid by participants and transferred to the Pretrial Account from which DMHAS pays expenses. The surpluses in that account due to fees from our Pretrial Alcohol Education have dried up and as a result the surpluses that supplemented the costs to the Pretrial Drug Education Program are no longer available.

Given the fiscal climate, and the issues we are facing with the funding of the Pretrial Account, we would respectfully ask that you move forward on SB1165 but hold off on the changes suggested in HB 6699 until additional dollars can be allocated to these programs.

We thank you for your time and attention to these matters.

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